



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 09/988,805
Applicant : GEISTLICH
Filed : November 20, 2001
TC/A.U. : 1615
Examiner : Kennedy, Sharon E.
Confirmation No. : 8892

Docket No. : 1194-199
Customer No. : 6449

Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450


TRANSMITTAL OF TERMINAL DISCLAIMER

Sir:

Applicant submits herewith a Terminal Disclaimer to obviate a nonstatutory obviousness-type double patenting rejection over a prior patent.

Please charge the required fee of \$65.00 to deposit account no. 02-2135. An extra copy of this letter is attached.

Respectfully submitted,

By 

George R. Repper
Attorney for Applicants
Registration No. 31,414
ROTHWELL, FIGG, ERNST & MANBECK, P.C.
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**TERMINAL DISCLAIMER TO OBVIATE A NONSTATUTORY OBVIOUSNESS-TYPE
DOUBLE PATENTING REJECTION OVER A PRIOR PATENT**

Director of the United States Patent
and Trademark Office
P.O. Box 1450
Alexandria, Virginia 22313-1450

11/16/2006 SZEWDIE1 00000155 022135 09998805
01 FC:2014 65.00 DA

Sir:

The owner, Ed. Geistlich Soehne AG fuer chemische Industrie, of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as shortened by any terminal disclaimer, of commonly owned prior Patent No. 6,676,969. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.


In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid

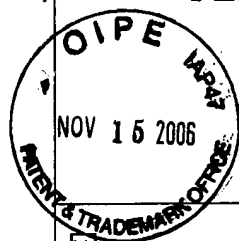
by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer.

The undersigned is an attorney of record.

Terminal disclaimer fee under 37 CFR 1.20(d) is included.

Respectfully submitted,

By 
George R. Repper
Attorney for Applicants
Registration No. 31,414
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FEE TRANSMITTAL
for FY 2006
(Small Entity)

Complete if Known

Application Number 09/988,805
Filing Date November 20, 2001
First Named Inventor GEISTLICH
Examiner Name Kennedy, Sharon E.
Group Art Unit 1615

☒ Applicant claims small entity status

Attorney Docket Number 1194-199

Total Amount of Payment **(\$65.00)**

Confirmation Number 8892

METHOD OF PAYMENT (check one)

1. ☒ The Commissioner is hereby authorized to charge additional fees and credit any overpayment to Deposit Account Number 02-2135 in the name of Rothwell, Figg, Ernst & Manbeck

☐ Charge any additional fee required under 37 CFR 1.16 and 1.17 to Deposit Account No. 02-2135.

2. ☐ Payment by check enclosed

FEE CALCULATION

1. FILING, SEARCH AND EXAMINATION FEES

Code	Fee	Fee Description	Fee Paid
2001	150	Utility Filing Fee	[]
2111	250	Utility Search Fee	[]
2311	100	Utility Examination Fee	[]
2002	175	Design Filing Fee	[]
2112	50	Design Search Fee	[]
2312	65	Design Examination Fee	[]
2003	275	Plant Filing Fee	[]
2113	150	Plant Search Fee	[]
2313	80	Plant Examination Fee	[]
2004	395	Reissue Filing Fee	[]
2114	250	Reissue Search Fee	[]
2314	300	Reissue Examination Fee	[]
2005	100	Provisional Filing Fee	[]

SUBTOTAL \$

2. CLAIMS

	Extra Claims	Fee	Fee Paid
Total Claims [] - 20* = []	x	\$ 25 = []	
Independent Claims [] - 3* = []	x	100 = []	
Multiple Dependent Claims +		180 = []	

*or number previously paid, if greater;

SUBTOTAL \$

3. APPLICATION SIZE FEE

Total Sheets: [] - 100 = [] /50 = [] ** x \$125 = []

**Number of each additional 50 or fraction thereof

SUBTOTAL \$

FEE CALCULATION (continued)

4. ADDITIONAL FEES

Fee Code	Fee Paid	Fee Description	Fee Paid
2051	65	Surcharge - late filing fee or oath	[]
2052	25	Surcharge - late provisional filing fee or cover sheet	[]
1053	130	Non-English specification	[]
1812	2,520	For filing a request for reexamination	[]
1804	920	Requesting publication of SIR prior to Examiner action	[]
1805	1,840	Requesting publication of SIR after Examiner action	[]
2251	60	Extension for reply within first month	[]
2252	225	Extension for reply within second month	[]
2253	510	Extension for reply within third month	[]
2254	795	Extension for reply within fourth month	[]
2255	1,080	Extension for reply within fifth month	[]
2401	250	Notice of Appeal	[]
2402	250	Filing a brief in support of an appeal	[]
2403	500	Request for Oral Hearing	[]
1451	1,510	Petition to institute a public use proceeding	[]
2452	250	Petition to revive - unavoidable	[]
2453	750	Petition to revive - unintentional	[]
2501	700	Utility issue fee (or reissue)	[]
2502	400	Design issue fee	[]
2503	550	Plant issue fee	[]
1807	50	Processing fee under 37 CFR 1.17(q)	[]
1806	180	Submission of Information Disclosure Statement	[]
2809	395	Filing a submission after final rejection (37 CFR .129(a))	[]
2810	395	For each additional invention to be examined (37 CFR 1.129(b))	[]
2801	395	Request for Continued Examination (RCE)	[]
1802	900	Request for expedited examination of a design application	[]
1504	300	Publication fee for early, voluntary, or normal publication	[]
1505	300	Publication fee for republication	[]
1455	200	Filing an application for patent term adjustment	[]
1456	400	Request for reinstatement of term reduced	[]
2814	65	Statutory Disclaimer	[65]
8021	40	Recording each patent assignment per property (times number of properties)	[]

Other fee (specify) []

SUBTOTAL \$65.00

SUBMITTED BY

Complete (if applicable)

NAME AND REG. NUMBER

George R. Repper, Reg. No. 31,414

SIGNATURE

DATE

11-15-06

DEPOSIT ACCOUNT USER ID

02-2135